

UNITED STATES DISTRICT COURT

SOUTHERN

District of

NEW YORK

SCHMI CABALLERO,

Plaintiff,

-against-

SUMMONS IN A CIVIL ACTION

THE CITY OF NEW YORK, CORRECTION OFFICER  
ROSEMARY CONGRESS (Shield 1561), CORRECTION  
CAPTAIN CLAUDE GODFREY (Shield 593),  
CORRECTION OFFICER JUAN GARCIA (Shield 7094),  
CORRECTION OFFICER ROCHELLE PENNANT  
(Shield 9750), and JOHN & JANE DOES 1-10,  
Defendants.

CASE NUMBER:

07 CIV 6357

Judge Berman

TO: (Name and address of Defendant)

CORRECTION CAPTAIN CLAUDE GODFREY  
Shield 593  
George Motchan Detention Center  
15-15 Hazen Street  
East Elmhurst, NY 11370

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address).

JOEL BERGER  
360 LEXINGTON AVENUE, 16<sup>th</sup> Fl.  
NEW YORK, NY 10017-6502

20

an answer to the complaint which is served on you with this summons, within \_\_\_\_\_ days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

DEC 06 2007

CLERK

*Marcos Quintero*

DATE

(By) DEPUTY CLERK

AO 440 (Rev. 1/90) Summons in a Civil Action

## RETURN OF SERVICE

Service of the Summons and Complaint was made by me<sup>1</sup>

DATE

12/7/07

NAME OF SERVER (PRINT)

TITLE

LOUIS GREEN

MESSENGER

Check one box below to indicate appropriate method of service

☐ Served personally upon the defendant. Place where served: \_\_\_\_\_☒ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left: Capt. G. Woodard, shield 7060

☐ Returned unexecuted: \_\_\_\_\_☐ Other (specify): \_\_\_\_\_

## STATEMENT OF SERVICE FEES

TRAVEL

SERVICES

TOTAL

## DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on

12/7/07

Date

Signature of Server

Louis Green

Address of Server

1531 Taylor Ave #5  
Bronx, NY 10460

1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

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12/7/07

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1531 T.M. 100 Ave #5  
 Address of Server Bronx, NY 10460